



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
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WASHINGTON D.C. 20554

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**Report No. TEL-00699S**

**Friday August 8, 2003**

## **STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING**

### **SECTION 214 APPLICATIONS (47 C.F.R. § 63.18); CABLE LANDING LICENSE APPLICATIONS (47 C.F.R. § 1.767) REQUESTS TO AUTHORIZE SWITCHED SERVICES OVER PRIVATE LINES (47 C.F.R. § 63.16); SECTION 310(B)(4) REQUESTS**

Unless otherwise specified, the following procedures apply to the applications listed below:

The international Section 214 applications listed below have been found, upon initial review, to be acceptable for filing and subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications are for authority under Section 214 of the Communications Act, 47 U.S.C. § 214, (a) to transfer control of an authorized carrier or to assign a carrier's existing authorization; and/or (b) to become a facilities-based international common carrier; and/or (c) to become a resale-based international common carrier.

Pursuant to Section 63.12 of the rules, these Section 214 applications will be granted 14 days after the date of this public notice (see 47 C.F.R. § 1.4 regarding computation of time), and the applicant may commence operations on the 15th day, unless the Commission has informed the applicant in writing, within 14 days after the date of this public notice, that the application, on further examination, has been deemed ineligible for streamlined processing.

Communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206. An application can be removed from streamlined processing only in the sound discretion of Commission staff. The filing of comments or a petition to deny will not necessarily result in an application being deemed ineligible for streamlined processing.

The petitions for declaratory ruling listed below are (1) for authority under Section 310(b)(4) of the Communications Act, 47 U.S.C. § 310(b)(4), to exceed the 25 percent foreign ownership benchmark applicable to common carrier radio licensees, or (2) under Section 63.16 of the rules, to add a foreign market to the list of markets for which carriers may provide switched services over private lines. The requested rulings will be granted 14 days after the date of this public notice, effective the next day, unless the application is formally opposed or the Commission has informed the applicant in writing, within 14 days of the date of this public notice, that the application, on further examination, has been deemed ineligible for streamlined processing. For this purpose, a formal opposition shall be sufficient only if it is received by the Commission and by the applicant within 14 days of the date of this public notice and its caption and text make it unmistakably clear that it is intended to be a formal opposition.

Copies of all applications listed here are available for public inspection in the FCC Office of Public Affairs Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

We request that comments on any of these applications refer to the application file number shown below.

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**ISP-PDR-20030718-00021** P

360 Networks (USA) Inc.

Petition for Declaratory Ruling

This application description is corrected to read:

360networks (USA) inc. (360networks or Petitioner), requests that the Commission find permissible indirect foreign ownership of 360networks in excess of the 25 percent benchmark of Section 310(b)(4) of the Communications Act of 1934, as amended. This request is filed in connection with an application for 94 common carrier microwave stations and 25 local multipoint distribution service licenses to be acquired from Touch America, Inc. (debtor-in-possession) pursuant to an Asset Purchase Agreement between the parties. See FCC File No. 0001384102, listed as accepted for filing in Public Notice, Report No. 1574 (August 6, 2003).

Petitioner states that 360networks, a U.S. company, is a wholly-owned subsidiary of 360networks holdings (USA) inc. (360networks holdings), also a U.S. company. 360networks holdings is in turn owned as follows: 360networks Corporation (82 percent equity/voting interest), and 360networks (CDN fiber) Ltd. (360networks Ltd.) (18 percent equity/voting interest), each of which is organized under the laws of Canada. Petitioner states that 360networks Ltd. is in turn wholly owned by 360networks Corporation, which results in 360networks Corporation holding a 100 percent indirect interest in the Petitioner. According to 360networks, all of the equity and voting interests in 360networks Corporation currently are held by Canadian and U.S. citizens. Petitioner asserts that, pursuant to the rules and policies established in the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the "home market" of 360networks Corporation is Canada, which is a Member of the World Trade Organization.

This correction does not change the date of the Public Notice or Pleading Cycle for this application, which was released on August 1, 2003, Report No. TEL-00695NS.

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**ITC-214-20030714-00343** E

Technology & Investments International, LLC

International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based AND Resale Service

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-214-20030725-00384** P

Global Touch Telecom, Inc.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-214-20030728-00375** E

Satellite Networks International

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Application for authority to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-214-20030731-00379** E

HUXLEY COMMUNICATIONS COOPERATIVE

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Application for authority to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-214-20030804-00385** E

Holbrooke & Associates Consultants, Inc.

International Telecommunications Certificate

**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-214-20030805-00386** E

Winn Telephone dba Winn Telecom

International Telecommunications Certificate

**Service(s):** Global or Limited Global Resale Service

Application for authority to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-214-20030806-00390** E Colton Telephone & Cable T.V.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Resale Service  
Application for authority to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-214-20030807-00389** E Dots MicroSystems, Inc.  
International Telecommunications Certificate  
**Service(s):** Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service  
**Other Companies:**  
APL Systems Technology, Virginia  
Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

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**ITC-T/C-20030723-00388** P Berkshire Cable Corporation  
Transfer of Control  
**Current Licensee:** Berkshire Cable Corporation  
**FROM:** Berkshire Telephone Company  
**TO:** FairPoint Communications, Inc.  
Application for consent to transfer control of an international section 214 authorization, ITC-214-19970416-00213, held by Berkshire Cable Corporation from Berkshire Telephone Company to FairPoint Communications, Inc. Specifically, Berkshire Cable Corporation is wholly owned by Berkshire Telephone Company, and upon consummation, MJD Ventures, Inc., a wholly owned subsidiary of FairPoint Communications, Inc., will acquire all of the common stock of Berkshire Telephone Company.

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**REMINDERS:**

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001-.2003.

The Commission most recently amended its rules applicable to international telecommunications common carriers in IB Docket No. 98-118, Review of International Common Carrier Regulations, FCC 99-51, released March 23, 1999, 64 Fed. Reg. 19,057 (Apr. 19, 1999). An updated version of Section 63.09-.24 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/td/pf/telecomrules.html>.